

**347—218.102(91D) Management.**

**218.102(1)** In the usual situation the determination of whether a particular kind of work is exempt or nonexempt in nature is not difficult. In the vast majority of cases the bona fide executive employee performs managerial and supervisory functions which are easily recognized as within the scope of the exemption.

**218.102(2)** For example, work similar to the following is exempt work when it is performed by an employee in the management of the employee's department or the supervision of employees:

- a.* Interviewing, selecting, and training of employees;
- b.* Setting and adjusting their rates of pay and hours of work;
- c.* Directing their work;
- d.* Maintaining their production or sales records for use in supervision or control;
- e.* Appraising their productivity and efficiency for the purpose of recommending promotions or other changes in their status;
- f.* Handling their complaints and grievances and disciplining them when necessary;
- g.* Planning the work;
- h.* Determining the techniques to be used;
- i.* Apportioning the work among the workers;
- j.* Determining the type of materials, supplies, machinery or tools to be used or merchandise to be bought, stocked and sold;
- k.* Controlling the flow and distribution of materials or merchandise and supplies; and
- l.* Providing for the safety of the employees and the property.

SOURCE: 29 CFR 541.102.